



Docket No.: N0008.0001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tadatake Oku

Application No.: 10/507,156

Confirmation No.: 1795

Filed: June 7, 2005

Art Unit: 1656

For: NOVEL HEME PEPTIDE

Examiner: Not Yet Assigned

REQUEST FOR CORRECTED NOTICE OF ACCEPTANCE OF APPLICATION
UNDER 35 U.S.C. 371 AND 37 CFR 1.495

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a corrected Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495 be issued in the above-identified patent application. The Notice received by Applicant, a copy of which is attached hereto, has an error in the "Date of Completion of All 35 U.S.C. 371 Requirements." This date should be 06/07/2005, which is the date when Applicant submitted all necessary requirements. This date is reflected by the filing date printed on the Official Filing Receipt, a copy of which is attached.

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

No fee is required. However, The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-2215, under Order No. N0008.0001.

Dated: March 13, 2007

Respectfully submitted,

By 

Charles E. Miller

Registration No.: 24,576

DICKSTEIN SHAPIRO LLP

1177 Avenue of the Americas

41st Floor

New York, New York 10036-2714

(212) 277-6500

Attorney for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

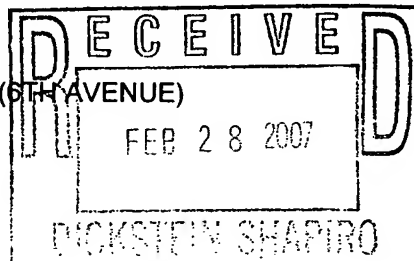
UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/507,156	Tadatake Oku	N0008.0001

INTERNATIONAL APPLICATION NO.
PCT/JP03/02394

I.A. FILING DATE	PRIORITY DATE
02/28/2003	03/04/2002

32172
 DICKSTEIN SHAPIRO LLP
 1177 AVENUE OF THE AMERICAS (6TH AVENUE)
 NEW YORK, NY 10036-2714



CONFIRMATION NO. 1795
 371 ACCEPTANCE LETTER

 OC000000022615524

Date Mailed: 02/22/2007

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>06/07/2005</u>	<u>06/07/2005</u> 08/28/2006
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Indication of Small Entity Status
- Copy of the International Application filed on 09/07/2004
- Copy of the International Search Report filed on 09/07/2004
- Copy of IPE Report filed on 09/07/2004
- Preliminary Amendments filed on 02/27/2006
- Information Disclosure Statements filed on 09/07/2004
- Biochemical Sequence Diskette filed on 09/07/2004
- Oath or Declaration filed on 06/07/2005
- Biochemical Sequence Listing filed on 09/07/2004
- Small Entity Statement filed on 09/07/2004
- Request for Immediate Examination filed on 09/07/2004

DSMO FILE NO. N0008.0001

DUE: _____

C/L: _____

ENTERED BY: A.H.

ATTY: CEH/14

- Copy of references cited in ISR filed on 09/07/2004
- U.S. Basic National Fees filed on 09/07/2004
- Assignment filed on 06/07/2005
- Priority Documents filed on 09/07/2004

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

TERRY M JOHNSON VESSELS
Telephone: (703) 308-9140 EXT 221

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

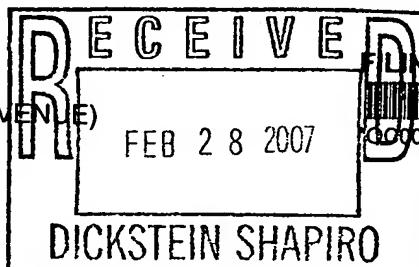


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND. CLMS
10/507,156	06/07/2005	1656	608	N0008.0001		22	1

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 DICKSTEIN SHAPIRO LLP
 1177 AVENUE OF THE AMERICAS (6TH AVENUE)
 NEW YORK, NY 10036-2714



CONFIRMATION NO. 1795

FILING RECEIPT



10000000022615523*

Date Mailed: 02/22/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Tadatake Oku, Tokyo, JAPAN;
 Toshiyuki Nishio, Tokyo, JAPAN;
 Ryu Kawachi, Tokyo, JAPAN;
 Kohei Suruga, Tokyo, JAPAN;

Power of Attorney: The patent practitioners associated with Customer Number 32172.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP03/02394 02/28/2003

Foreign Applications

JAPAN 2002-058086 03/04/2002

If Required, Foreign Filing License Granted: 08/09/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/507,156**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

DSMO FILE NO. 10008.0001

DUE: _____

C/L: _____

ENTERED BY: A.H.ATTY: CEH/14

**** SMALL ENTITY ******Title**

Novel hemepeptide

Preliminary Class

530

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted

under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Inventor: Tadake Oku et al.

Atty Docket No.: N0008.0001/P001

Application No.: 10/507,156-Conf. #1795
Title: NOVEL HEME PEPTIDE

Filing Date: September 7, 2004

Documents Filed:

Assignment (w/ Recordation Form Cover Sheet) Combined Declaration and Power of Attorney

Transmittal Letter to the United States Designated/Elected Office

Copy of Notification of Missing Requirements

International Preliminary Examination Report (PCT)

Submission of Substitute Sequence Listing and Statement (w/ 1 Computer Diskette)

Payment by credit card. Form PTO-2038 is attached (1 page)

Charge \$105.00 to credit card

Via: PTO daily run

Sender's Initials: EAM/bi

Date: June 7, 2005



um.b



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/507,156	FIRST NAMED APPLICANT Tadatake Oku	ATTY. DOCKET NO. N0008.0001
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INTERNATIONAL APPLICATION NO. PCT/JP03/02394

IA. FILING DATE 02/28/2003	PRIORITY DATE 03/04/2002
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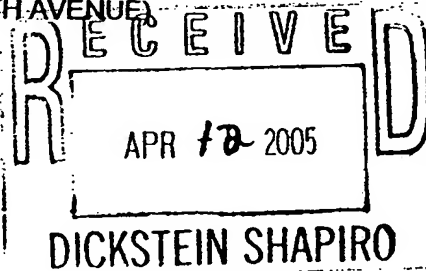
32172

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP

1177 AVENUE OF THE AMERICAS (6TH AVENUE)

41 ST FL

NEW YORK, NY 10036-2714



CONFIRMATION NO. 1795
371 FORMALITIES LETTER
OC000000015662376
OC000000015662376

Date Mailed: 04/07/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/07/2004
- Copy of the International Search Report filed on 09/07/2004
- Copy of IPE Report filed on 09/07/2004
- Information Disclosure Statements filed on 09/07/2004
- Oath or Declaration filed on 09/07/2004
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- Copy of references cited in ISR filed on 09/07/2004
- U.S. Basic National Fees filed on 09/07/2004
- Priority Documents filed on 09/07/2004

DSMO FILE NO. N0008.0001
DUE: June 7, 2005
C/L: _____
ENTERED BY: [Signature]
ATTY: CEM/FY

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE: